

Reasons Disclosed for Regents' Action Against UCLA Teacher

BY KENNETH REICH

Times Staff Writer

The conservative majority on the UC Board of Regents was influenced by these three major considerations in taking action against Communist Party member Angela Davis at UCLA:

—A strong belief in the policy against employing Communists at the university, and hope that the courts will finally uphold that policy.

—A feeling that public attitudes in the state would tolerate no lesser action than a move to dismiss Miss Davis, and that adequate future UC financing, particularly passage of bond issues, depended on it.

—A bowing—in the decision not to bar her from giving noncredit lectures pending dismissal—to due process arguments, reflecting a certain regental sensitivity on this score.

Interviews Tuesday with nine of the regents who formed the 14-to-6 majority at last Friday's emergency session in San Francisco showed considerable difference in emphasis but unity of essential point of view on the Davis case.

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Interviewed were Lt. Gov. Ed Reinecke, Assembly Speaker Robert T. Monagan, President of the State Board of Agriculture Allan Grant, Wendell W. Witter, Edwin W. Pauley, John E. Canaday, W. Glenn Campbell, Robert O. Reynolds and board Chairman DeWitt A. Higgs.

Virtually all expressed strong anti-Communist views, particularly along lines that no member of the Communist Party had the intellectual freedom to teach in an unbiased way.

"We still believe that the same fundamental reasoning that caused the regents to ban Communists from teaching in 1940—because they were not free from party discipline—is valid today," Canaday said.

Pauley said, "I'm not a Communist, and I don't propose to be a member of a board of regents or trustees that employs Communists or lets them propound their propaganda for a party that advocates the overthrow of the government of the United States.

"I would not have become a regent if we were going to employ Communists," he added. "I would not advocate the state giving the university money if we did such a thing."

Called Subversive

Higgs said, "I personally feel that membership in the Communist Party is not membership in a political party as I understand it. It is not in the best interests of the United States. It is a subversive organization."

Some regents, particularly Monagan, drew a distinction between letting Communists appear on campus as occasional speakers and letting them teach a full course. Monagan said the regents have no intention of trying to bar Communists as occasional speakers.

On the question of whether their policy against employing Communists will stand a court test on constitutionality, there were varying degrees of optimism.

Some Cautious

Higgs said he believed there was a "very excellent chance" the courts will uphold the policy. Others were more cautious.

Witter was fairly representative of the majority view, saying that it was basically a matter of the regents not judging the law "but letting this thing be determined by the courts.

"We have a rule. If you have a rule, it should be carried out," he said. "If the situation is adjudicated and the courts tell us we're outmoded, we'll accord, naturally.

"I don't profess to be a profound lawyer," he added, "but I can see there's an area of interpretation that's required . . . We'll abide by whatever the courts interpret."

Canaday's View

Canaday pointed out that one of the principal decisions relied upon by those who argue that the regents' policy is unconstitutional is the 1967 U.S. Supreme Court decision of Keyishian v. The Board of Regents of New York.

"Let's face this thing coldly," Canaday said. "The court itself has changed with new appointments. Keyishian was a 5-4 decision and there was a strong dissent from (now retired) Justice Tom Clark in which he said among other things that the court was sweeping away the people's most valuable right—the right to prevent self-destruction."

Many of the regents interviewed put great emphasis on public opinion and what they viewed as the deteriorating relationship between the university and the public in explaining their decision.

"I'm deeply concerned about the attitude of the people of California," said Grant. "We need their support. If they are dissa-

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tified with the university, they will not support it.

"Last November we found we had lost public support in the vote on the bond issue," Grant said. "We need bonds next year for medical schools. We have a long way to go in reestablishing support."

Grant said he regarded the Angela Davis dismissal order as "just another step in restoring confidence that we run the university in an orderly manner."

Reinecke said he felt that the issue extended "beyond just public support for the university."

"I feel that the failure of so many elementary and secondary school bond issues can be traced to the general dissatisfaction of the voter about the trouble on higher education campuses," he said.

Spreads to All

The voters, he went on, view education as one category. "If there's trouble in any one sector, they tend to reject the bonds in all."

Almost a plaintive note crept into some of the discussions of public attitudes. Reynolds remarked that "the residents of this state are puzzled and not exactly certain what is happening in the university and colleges of the State of California."

"They are trying awfully hard to reason out for themselves the attitude of people associated with the academic world," he said.

"The feeling I have is that some way, somehow, there has to be brought into being a better understanding between the public, the regents and the faculty as to why they (the faculty) would oppose so vigorously a step taken against known Communists when experience indicates that such people cannot be objective in the classroom."

Several of the regents said they had received many questions from friends and in letters from the public about why they had allowed Miss Davis to continue lecturing at UCLA even though they banned her from teaching for credit.

The reason, they asserted, was their concern for due process in dismissing Miss Davis.

Although much criticism from the regents in the minority on this issue and from administrators, faculty and students, has been directed toward the board majority on its alleged flouting of due process, all members of the majority insist they have followed it.

"We're waiting for the faculty committee to hold their hearing and give us their findings on the dismissal," said Campbell. "In short, what we've been doing in this case is to adhere rigorously to due process."

Pauley was blunt on this count, asking, "Why, otherwise, would we not summarily kick her out?"

Her Day in Court

Several of the regents turned the issue around and questioned whether the UCLA faculty and administration were not themselves violating due process by going against the anti-Communist policy of the regents without the courts having specifically ruled against it.

"Miss Davis is getting her day in court," said Monagan. "But in the meantime, this is the policy and they should abide by it."

In the interviews, there was little mention of the fact that Miss Davis is black. When the regents were asked about race, they strongly asserted that it had nothing to do with their decision to fire the young professor. Some volunteered this assertion.

"After all the trouble on campuses around the state," said Reinecke, "I can't see how anybody could urge us to hire any teacher, regardless of whether they're Communists or not, who . . . is in favor of militant action or violence or who advocates methods of violent disruption in order to bring about social changes."